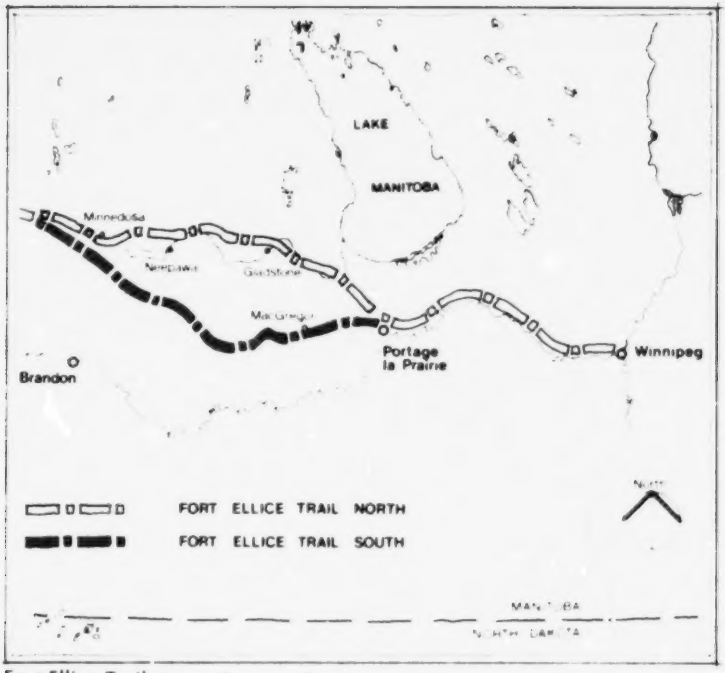
Beautiful Plains County Court Building



Fort Ellice Trail Historic Resources Branch

Despite the isolation of the Neepawa area, homesteading, although on a limited basis, did occur in the late 1870s. In May 1877, a group of thirty adventurous settlers left Listowell, Ontario and headed west to Manitoba. Upon arrival at Red River, the colonists followed the North Fort Ellice Trail to the Neepawa area, located on the southeastern slopes of the Riding Mountains. In mid-July, several of the settlers stopped at Snake Creek (now Salisbury) while the fourteen member Graham Family continued west. They eventually settled on Sections 27 and 24 in Township 14, Range 15, situated on a high, well-drained plateau, where the Stoney and Boggey Creeks unite to form the White Mud River. The original Graham homestead is now within the Neepawa town limits on what is currently Neepawa Riverside Cemetery. In the spring of 1878 a post office was established in the home of John Graham and the settlement was given the name Clydesdale.

When the Canadian Pacific Railway (CPR) commenced construction of its mainline past Portage la Prairie in 1880, new arrivals, especially from the United Kingdom and southern Ontario, ventured into western Manitoba. Many entrepreneurs set up businesses in advance of the expected CPR mainline and some, in anticipation of settlement, surveyed land for town lots. The settlers around Neepawa were especially hopeful, as the CPR had already surveyed routes through the district. Two aspiring entrepreneurs, John A. Davidson and Jonathon J. Hamilton were instrumental in the development of Neepawa.

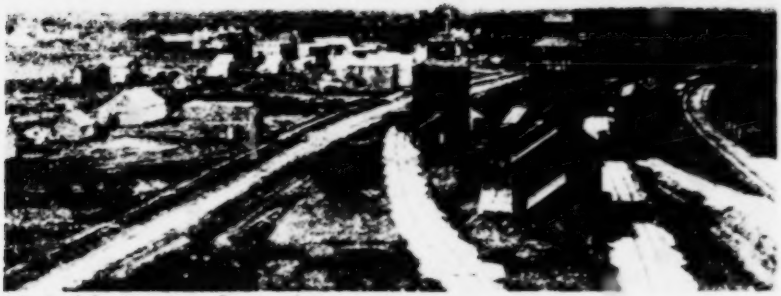
Honourable John A. Davidson
Courtesy Manitoba Archives taken
from *The Neepawa Press*, 27 June 1933

Jonathon J. Hamilton
Courtesy Manitoba Archives taken
from *The Neepawa Press*, 27 June 1933

Davidson and Hamilton were business partners in Palestine (now Gladstone), operating a large general store. Upon completion of a trial survey for the CPR in 1880, rumour spread that a station would be located at Spring Creek, approximately 13 kilometres southwest of the present site of Neepawa. Confident that the CPR would pass by Spring Creek, Davidson and Hamilton relocated to that site, hoping, with their store, to establish the basis for a new community. Their plans were dashed, however, when in 1881 the CPR mainline was built southwest from Portage la Prairie through the small town of De Winton (now Carberry), leaving their store 32 kilometres from the railway.

At the same time that the CPR was building westward across the prairies, the Manitoba and North Western Railway (M and NW Railway, later purchased by the CPR) was also pushing forward with construction of its line, reaching Gladstone in 1882. Davidson and Hamilton, following the railway's impending route west, moved their business and purchased the homestead of Andrew Baker, just west of the Clydesdale Post Office. Once again anxious to form a community, the two partners had Section 33 and what was to become the northwest corner of Hamilton Street and Walker Avenue surveyed into town lots. A number of other eager businessmen, also hoping to establish themselves in a new settlement, were quick to join the two merchants. Davidson chose the name "Neepawa", an Indian word meaning "plenty" or "abundance", for the emerging community. A store constructed by Clare and Brownell was at the northeast corner, a log hotel, the "Neepawa House" was built by Charles Stewart on the southwest corner and a blacksmith shop operated by Allen McLean was located at the southeast corner of the intersection.

Once again, however, the aspirations of Davidson and Hamilton were derailed. The M and NW Railway altered their plans for construction and



View of the North End *The Colonist*, September 1896

the line proceeded approximately three kilometres north of the new settlement of Neepawa. At the insistence of the two founders of the town, the newly created County Council urged the M and NW Railway to discontinue the proposed route in favour of a location adjacent to Davidson and Hamilton's store. Ultimately, the dispute was settled by the townspeople giving the M and NW Railway a note for $16,000 to relocate the line within the town limits. Davidson and Hamilton also gave the railway several of their lots as inducement to alter the route of the line. However, the agreement between the town and the railway company to relocate the line still resulted in Davidson and Hamilton's store being situated approximately one kilometre south of the station. In a short time a second business district evolved in the vicinity of the new railway tracks, creating competition with the original entrepreneurs centred on Hamilton Street. Commercial activity naturally gathered in the north end with the arrival of the M and NW Railway, the wheat trade being the mainstay although the south end eventually became the sole focus for business activity with the arrival of the Canadian Northern Railway in 1902.

 View of County Court House from the intersection of Mountain Avenue and Hamilton Street *Manitoba Free Press*, 1903

During the hectic first years, while pioneers in the West were often pre-occupied with the basic problems of establishing farms and communities, a codified system of justice was quickly introduced to the small communities. Some frontier towns, with limited populations and modest physical sizes, were suddenly accorded status as judicial centres. Neepawa, as one of those centres, was authorized to erect a County Court Building, a symbol of the community's accomplishments and ensurance for its future, just two years after the arrival of Davidson and Hamilton.

The Manitoba Judicial System

The significance of the Beautiful Plains County Court Building can be more clearly understood when the structure is seen within the context of the development of the judicial system in Manitoba. Essentially, the judicial system evolved in three stages, each period expanding and amending the previous legal and judicial administration. The first stage, from 1670 to 1870, concerned the early fur trade era and the subsequent changes required to meet the initial settlement and commercial needs of Rupert's Land. With the formation of the Province of Manitoba in 1870, a second major change was effected, expanding the judicial system for the new province. The third stage, relevant to Neepawa, was the formation of new judicial districts in Manitoba to serve the steadily growing population which had requirements for a more immediate and detailed judicial administration.

The earliest judicial system inaugurated in Manitoba stipulated that the legal affairs of the Company of Adventurers trading into Hudson's Bay (HBC) which had exclusive rights and privileges in Rupert's Land, would be managed by a Governor and a Committee according to practices "agreeable to the laws of England". This basic legal system was altered in 1812 by the arrival of the Selkirk Settlers. Although the HBC retained jurisdictional rights over Red River and the District of Assiniboia it became necessary to appoint local judicial officials. In 1814 the first Governor of Assiniboia, Miles MacDonell, two Councillors and a Sheriff were appointed to administer law and order in the District.

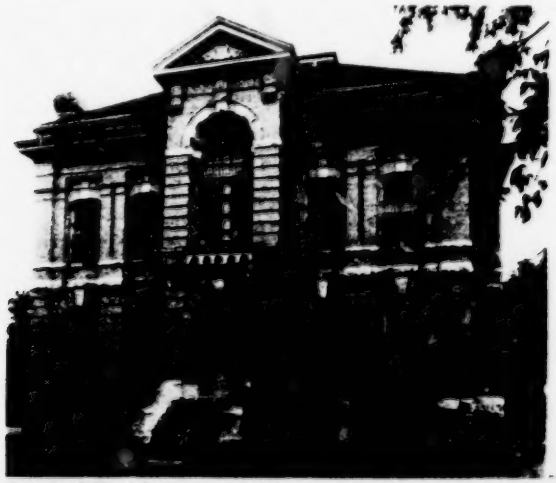
The amalgamation, in 1821, of the HBC and its competitor, the NWC, ushered in another significant development in the judicial system of the Northwest. The HBC chose to divide Rupert's Land into four districts, or departments. These departments localized the judicial system, with the most central and populous community in each district acting as a headquarters. The Red River Settlement and the District of Assiniboia were within the jurisdiction of the Northern Department, which included the Neepawa area. Its Governor, Sir Andrew Bulgar, and a Council of the HBC officials held assemblies called "General Courts" where both civil and criminal cases were tried and ordinances enacted. As the District became more populous the General Court became involved in administrative functions and took an active interest in the corporate affairs of the region. The Colony, for the first time, began to exhibit the character, system and regularity synonymous with a sound judicial administration.

In 1835 a re-organization of the judicial system established regular Quarterly General Courts of the Governor and Council of Assiniboia. In

addition, a court house and gaol was erected at Fort Garry, emphasizing the necessity not only for law and order, but for the punishment of criminals as well. During the next 35 years, before the creation of Manitoba and its entry into Canadian Confederation, the laws and ordinances of the District of Assiniboia were consolidated, codified and amended.

In 1871, one year after the creation of Manitoba, came the formation of the Supreme Court of Manitoba (later to be renamed the King's/Queen's Bench) and the division of the Province (which at this time did not include the Neepawa area) into four counties. The Supreme Court began its judicial administration with ultimate authority in relation to matters of local and provincial jurisdiction in 1872 under Chief Justice Alexander Morris. The judiciary was broadened that same year with the establishment of County Courts and the delegation of judicial powers to County Court judges.

After the boundaries of Manitoba were extended in 1880 and the Neepawa area was included within these boundaries, the county and judicial systems were also extended. The County of Beautiful Plains and its four Municipalities of Glendale, Osprey, Rosedale and Lansdowne were created in 1882, adopting the established organization of counties and municipalities within the Province. This system of dividing counties into municipalities had been inaugurated in 1873, but with population pressures the county system gradually became unwieldly. Eventually, it would be abolished in favour of municipalities and by 1890 the County of Beautiful Plains would no longer exist. At that time the Rural Municipalities (the term "Rural" was given legal sanction in 1886) of Glendale and Osprey would merge to create the new Rural Municipality of Langford. The historic County of Beautiful Plains would eventually be comprised of the Rural Municipalities of Lansdowne, Langford, and Rosedale. The Town of Neepawa would straddle the boundaries of the latter two Rural Municipalities. Until 1890, however, local administration provided through the County of Beautiful Plains was still recognized by the municipalities.



Original Brandon Court House and Gaol, erected 1883-1884
Historic Resources Branch

In addition to the division into counties and municipalities, the judicial boundaries of the enlarged Province was reorganized in 1883, and three new judicial districts were introduced. The largest centre of population in each of the three districts was selected as judicial headquarters. Consequently, Winnipeg not only remained the Chief Judicial Centre of Manitoba, but also became the capital of the Eastern Judicial District. Brandon, the capital of the county of the same name, became the headquarters for the Western Judicial District. Portage la Prairie was designated as the headquarters for the Central Judicial District, which included the County of Beautiful Plains. New court house and gaol facilities were opened in Winnipeg and Brandon in 1883 and 1884 respectively, while the Portage la Prairie Court House, constructed in 1879-1880 was used until a new building was completed in 1895.

Judicial authority in the Province was further distributed at the same time the Judicial Districts were formed. The provincial government stipulated that a community in each county could provide court facilities for circuit judges. It was at this point of the province's legal evolution that Neepawa was firmly established as a judicial centre.

History of the Beautiful Plains County Court Building

The Central Judicial Board in Portage la Prairie and the County of Beautiful Plains both agreed in 1883 on the erection of a court building that would also house facilities for county proceedings. When Neepawa was incorporated as a town that same year many citizens saw their community as the obvious choice. Neighbouring Arden contested Neepawa's claim, but these efforts went unheeded. As the *Neepawa Canadian* unequivocally stated:

> We had thought until now that the right of Neepawa to being made the County Town would never be questioned. Neepawa is not only geographically nearer to the centre of population [but] will ever remain so.

Artist's rendition of Neepawa from White Mud River
Winnipeg Sun Mid-Summer Holiday Issue, 1888

The wood frame building initially utilized in Neepawa for the judicial and related matters was condemned as unsafe and inadequate for the requirements of the county. A completely new building was clearly required. Thus, just two years after Hamilton and Davidson had established their business and surveyed a townsite, Neepawa was to have a new court building, a symbol of the community's stability and prosperity.

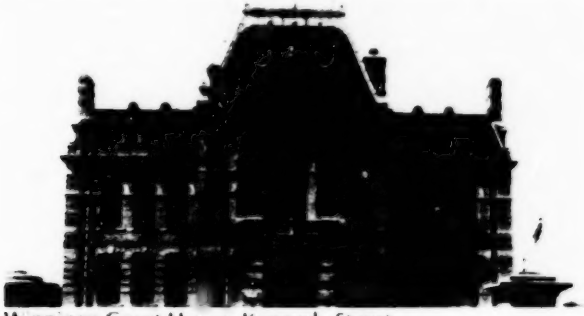
Funds for the construction of the building came from debentures collected by the county and from the provincial government. When the government required the construction of court facilities it had also agreed to partially fund the construction of a town hall if the building would also house specific legal and judicial functions, besides community and county activities. Thus, the County Court Building in Neepawa became a multi-purpose structure serving the judicial, administrative and social requirements of the County of Beautiful Plains.

The architect chosen for the new Beautiful Plains County Court Building was C. Osborn Wickenden, whose handsome Brandon Court House and Gaol, commenced in 1883, was in the final stages of construction. When Wickenden's designs for the Neepawa building were completed and a site on Hamilton Street was secured for $1200, tenders for the County Court Building were posted in June of 1884. The Portage la Prairie firm of Gossil and Dykeman entered the lowest bid for construction at $16,000 and construction began almost immediately. By September the structure soon had "a look of substantial beauty". The brickwork was completed in October and the roof was added less than a month later. The entire building, completed at a final cost of $20,000, was ready for Wickenden's inspection just prior to Christmas of 1884.

Beautiful Plains County Court Building
Winnipeg Sun Mid-Summer Holiday Issue 1888

C. Osborn Wickenden

Charles Osborn Wickenden was among the first group of architects to work in Western Canada during its boom period in the early 1880s. Wickenden was born in England near Rochester, Kent in 1851 and articled under E.W. Stephens of the London and Maidenstone firm of Peck & Stephens. It was with this firm that he later served as an assistant in the London office until he left for Amercia. In 1876, after practicing in New York, Wickenden moved to St. John, New Brunswick and it was about this time that he designed Acadia College at Wolfeville, Nova Scotia. In 1881 he arrived in Winnipeg and soon received three prestigious commissions which established him as an architect of considerable note in Manitoba: the Court House on Kennedy Street,



Winnipeg Court House, Kennedy Street,
erected 1882-1883, destroyed 1957 Courtesy, Manitoba Archives

Winnipeg, 1882-1883; the Brandon Court House and Gaol, 1883-1884; and the Beautiful Plains County Court Building, 1884. Although he is known to have designed a number of residences in Winnipeg, his work for the remainder of the decade was primarily comprised of large complexes. These included the Manitoba Mortgage and Investment Company Building (1884), the Westminster Residential Block (1884), St. John's Parish School (1887) and the Western Canadian Loan Company Building (1884) all in Winnipeg. In 1883 Wickenden designed the Reformitory in Brandon, later known as the Asylum, but this structure was not erected until 1889. In spite of this substantial output in Manitoba, most of Wickenden's buildings have met the frequent fate of early buildings in the fast growing communities of Western Canada. The only structures known to have been designed by Wickenden in Manitoba which still stand are the Beautiful Plains County Court Building and the Brandon Court House and Gaol.

In 1888 Wickenden left Winnipeg for Vancouver where he continued to design important works, such as Christ Church Cathedral, 1888-1894 and the Vancouver Post Office, 1891-1892, both demolished. Wickenden's election in the 1890s as the President of the British Columbia Institute of Architects was indicative of the stature he enjoyed among fellow architects in that Province. When he died on 7 December 1934, the *Vancouver Daily Province* noted his death with the statement, "In the period from the late '80s to the early part of the present century he was regarded as Vancouver's leading architect."

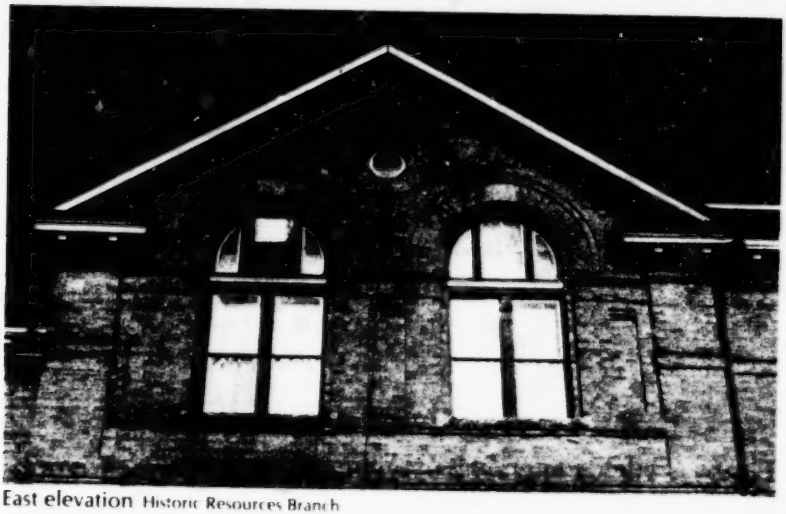
View from north east corner Historic Resources Branch

The Architecture of the Beautiful Plains County Court Building

In Manitoba in the early 1880s substantial buildings, such as Wickenden's Neepawa Court House, represented the arrival of architectural style and sophistication to frontier settlements. Previously, most Manitoba buildings were vernacular responses to specific functional requirements. For example, Wickenden's 1882 Second Empire style court house on Kennedy Street, Winnipeg, replaced a court house on Main Street which had been built around 1870 as a store and was enlarged in 1873 with a log addition. The arrival of skilled craftsmen and trained architects, like Wickenden, reformed frontier architecture and, virtually overnight, important brick buildings began to appear in the larger communities in the Province.

The Beautiful Plains County Court Building was designed as a substantial public building with elements of the Queen Anne style of architecture. Like the Brandon Court House, and befitting a building which represents justice, law and order, the building was designed to convey strength and stability. The symmetrical facade is dominated by a projecting frontispiece. The basement walls, separated by a heavy band of native limestone, were of granite and gneiss boulders found in the vicinity. In contrast to its frame and log neighbours, the building was constructed of buff bricks, from Portage la Prairie, which helped create a sense of massiveness. The thickness of the walls is accentuated by the

window treatment in the second storey. Panels, which house the paired windows, are recessed and profiled by the detailing around the arches and the corbelling at the top of each panel. The ground floor is distinguished from the upper level by thick brick banding. Throughout, the building is carefully detailed.



East elevation Historic Resources Branch

In spite of its solid original construction, the interior of the Beautiful Plains County Court Building fell into disrepair in the early 1890s. Few records were kept on the maintenance of the structure, as the next change noted was in 1965-1966 when the interior was redecorated. External alterations have been minor.

The original internal planning of the Beautiful Plains County Court Building provided ample space for the officials of the county. On the ground floor, opening off the main corridor were the County Court Clerk's, Registrar's and Treasurer's public and private offices, with fireproof vaults for each. The Constable's room, also on the ground floor had a separate access to the building through a rear entrance. This was necessary because the lock up, containing three cells, and shut off by an iron grille door, were adjacent. On the second floor was the court room, aproached by a public stairway. Around the court room, conveniently arranged, were a judge's retiring room, barrister's and witness rooms and a room for a petit jury. The basement contained a kitchen, dining room, bedrooms and storeroom, with space at the front for fuel and, later, for modern heating apparatus.

Significance

The Beautiful Plains County Court Building was a significant building when completed in 1884, not only locally but provincially as well, and its importance has been enhanced over the years. The building attested to the new stature of Neepawa in the Province and contributed to a sense of civic pride. Within a larger context the building represents one of the earliest phases of architecture in the province as well as the first phase of substantial public building. The structure is also outstanding because of its fine architectural handling and the skill displayed in the brickwork.

Chimney, east elevation Historic Resources Branch

For such a young community the construction of its own court building was a grand achievement. Amidst the modest two storey boom town faced frame buildings common along Mountain Avenue and Hamilton Street, the Court House was surely a dramatic sight. Not until 1889 was it complimented by the addition of other substantial brick buildings. Also, in the early 1880s the Neepawa building shared a strong architectural affinity with some of the best brick masonry buildings in the Province, such as the Emerson Town Hall (1881); Government House, Winnipeg (1882-1883); the Winnipeg Court House (1882-1883); the Provincial Parliament (1882-1883); the Educational Office, Winnipeg (1882); the

Eastern Judicial (Vaughan Street) Gaol, Winnipeg (1883); the 1882-1883 addition to the Winnipeg City Hall; and the Brandon Court House and Gaol (1884). Since that era the Neepawa building has attained even more importance as these structures have gradually been lost. Only Government House, the Eastern Judicial Gaol and the Brandon Court House and Gaol still stand. The situation is as serious when considering the current state of Manitoba's court buildings. While there were older court structures in Manitoba than Neepawa's: the ca. 1869 and 1882 buildings in Winnipeg, the 1879-1880 building in Portage la Prairie and the 1881 structure in Emerson, all are now gone. The next remaining Manitoba Court House is that by George Browne in Portage la Prairie of over a decade later. Thus, of the Province's original court structure's only the Neepawa Court Building and its counterpart in Brandon remain as visible reminders of Manitoba's early attempts to consolidate and administer justice. Through the efforts of concerned citizens, the Beautiful Plains County Court Building will continue to stand as an enduring monument to the Province's heritage.

Bibliography for Further Reading

For a general history of settlement in Manitoba that includes information on the Neepawa area John Langton Tyman's, *By Section, Township and Range — Studies in Prairie Settlement* is a valuable source. "Local Government Reorganization" by Murray Fisher in *Papers Read Before the Historical and Scientific Society of Manitoba, Series III, No. 17, 1960-1961* provides an overview of the development of the judicial system in Manitoba.

Some local histories of the area are also available including *Neepawa: Land of Plenty; A Brief Story of Neepawa and District*, by A.F. McKenzie. Two early articles on the development of Neepawa are "The Park Lands of Manitoba" in *The Colonist*, 1896 and "Neepawa, the Land of Plenty," in the *Manitoba Free Press*, 25 April 1903. Early Neepawa newspapers, particularly the *Neepawa Canadian* provide historical insight into the construction of the Beautiful Plains County Court Building.

Government reports on the Neepawa area include *The Beautiful Plains County: An Overview of the Heritage Resources of the Neepawa and Area Planning District* prepared for the Neepawa and Area Planning District and the Historic Resources Branch by Edward M. Ledohowski.

THE BEAUTIFUL PLAINS COUNTY COURT BUILDING

During the Manitoba land boom of the late 1870s and early 1880s settlers from Ontario were attracted to the Beautiful Plains area. The town of Neepawa was incorporated in 1883 and became the county seat the following year. The County Court Building was erected in 1884 to house the court and gaol as well as town and municipal offices.

The county comprised four municipalities — Glendale, Lansdowne, Osprey and Rosedale. The local municipalities continued to use the building after the county system ceased to exist in 1890.

This building was designed by C. Osborn Wickenden, who was also the architect of the court houses in Brandon and Winnipeg. The Neepawa and Brandon buildings are the oldest surviving court houses on the Prairies.

Local citizens were responsible for preserving this building which is still in public use.

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